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LINKAGES AMONG AND SUPPORT TO ENVIRONMENTAL AND ENVIRONMENT-RELATED CONVENTIONS

Strengthening the role of the United Nations Environment Programme in promoting collaboration among environmental conventions

Report of the Executive Director

Summary

This document reports the work of the United Nations Environment Programme (UNEP) that has been carried out since the fifth special session of the Governing Council, held in May 1998, in follow-up to Council decision SS.V/2, and presents elements of a strategy for strengthening the role of UNEP in promoting collaboration among environmental conventions.

Suggested action by the Governing Council

The Governing Council may wish to adopt a decision along the following lines:

Bearing in mind General Assembly resolutions 47/190 of 22 December 1992, on the report of the United Nations Conference on Environment and Development 47/191 of 22 December 1992, on institutional arrangements to follow-up the United Nations Conference on Environment and Development, and S-19/2 of 28 June 1997, on the Programme for the Further Implementation of Agenda 21,

Bearing in mind also Governing Council decisions 19/1 of 7 February 1997, on the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme and SS.V/2 of 22 May 1998, on revitalization, reform and strengthening of the United Nations Environment Programme,

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Having considered the report of the Executive Director on strengthening the role of United Nations Environment Programme in promoting collaboration among environmental conventions,

Mindful of the importance of promoting interlinkages among international environmental conventions and related processes and conscious of the need to
mitigate fragmentation of international environmental policy-making,

1. Urges the Executive Director to further consultations with global and regional environmental conventions with a view to identifying common areas of interest and opportunities for potential synergy;

2. Requests the Executive Director to support, as appropriate, collaboration among environmental conventions in line with the decisions of their respective conferences of parties;

3. Further requests the Executive Director to make available technical and scientific expertise of the United Nations Environment Programme to assist environmental conventions in achieving their objectives.

I. BACKGROUND

1. Chapter 38 of Agenda 21 identified as a priority area for UNEP the "further development of international environmental law, in particular conventions and guidelines, promotion of its implementation, and coordinating functions arising from an increasing number of international legal instruments, inter alia, the functioning of secretariats of the Conventions, taking into account the need for the most efficient use of resources, including possible co-location of secretariats established in the future".

2. In the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme, the Governing Council at its nineteenth session agreed that one of the core elements of the focused mandate of UNEP should be furthering the development of international environmental law, including the development of coherent interlinkages among existing international environmental conventions (decision 19/1, annex, para. 3 (b)).

3. Paragraphs 123 of the Programme for the Further Implementation of Agenda 21, adopted by the General Assembly at its nineteenth special session, held from 23 to 27 June 1997, by its resolution S-19/2, states that:

> "The role of the United Nations Environment Programme in the further development of international environmental law should be strengthened, including the development of coherent interlinkages among relevant environmental conventions in cooperation with their respective conferences of the parties or governing bodies. In performing its functions related to conventions signed at the United Nations Conference on Environment and Development or as a result of it, and other relevant conventions, the United Nations Environment Programme should strive to promote the effective implementation of these conventions in a manner consistent with the provisions of the conventions and the decisions of the conferences of parties."

4. At its fifth special session, the Governing Council, in its decision SS.V/2 of 22 May 1998, concerning the revitalization, reform and strengthening of the UNEP, affirmed that the future reform of UNEP should, inter alia, be fully in line with the mandate contained in the Nairobi Declaration and agreed that the enhanced coordination of environmental conventions should be one of the areas of concentration of a stronger, more effective and revitalized UNEP.

5. To be effective, collaboration among conventions and related international agreements should take place at four levels:

(a) At the political level, involving the bureaus of the governing bodies of conventions and related international agreements, as well as the Bureau of the UNEP Governing Council;

(b) At the scientific and technical level, involving the heads of the subsidiary scientific and technical bodies of the conventions and related international processes, including the Scientific Technical Advisory Panel (STAP) of the Global Environment Facility (GEF);

(c) At the programmatic level, involving the Executive Director of UNEP and the heads of convention secretariats and relevant international processes;

(d) At the participatory and implementation level, involving non-governmental organizations, civil society, private industry and local communities in support of Governments.

6. The Executive Director is therefore preparing to intensify and systematize a process that formalizes and regularizes collaboration among conventions with UNEP support. In such a process, the following steps are contemplated:

(a) Formal consultations with conventions and related international processes at the policy, scientific and technical, programmatic, and implementation levels leading to the formulation of programmes for building synergy and collaboration. This should include more detailed joint thematic programming among related conventions and sectoral areas such as biodiversity-related conventions; regional seas conventions and actions plans and related international agreements; atmosphere-related conventions; and chemicals- and human-health-related conventions and international processes;

(b) Presentation of proposals for collaborative activities among conventions and related international processes for the consideration of their respective governing bodies;

(c) Presentation of proposals for UNEP support to promote collaboration among conventions and related international processes for the consideration of the Governing Council of UNEP;

(d) Exchange of information and reports that would reinforce respective responsibility and mandates.

II. PROGRAMMATIC ELEMENTS FOR AN INITIAL PROGRAMME OF COLLABORATION AMONG CONVENTIONS AND RELATED INTERNATIONAL AGREEMENTS

7. In June and July 1998, UNEP organized two meetings of the heads of the secretariats of global and regional environmental conventions. The first of such meetings was held in The Hague and involved 10 of the world's 14 regional seas conventions and action plans. The second was a meeting of UNEP-administered global conventions, namely the Convention on Biological Diversity, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Convention on the Conservation of Migratory Species of Wild Animals (CMS), the Basel Convention on the Transboundary Movements of Hazardous Wastes and Their Disposal, the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer, as well as two participants (from the Convention for the Protection of the Mediterranean Sea against Pollution and the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region) attending the meeting of regional seas convention and action plan coordinators, which was held concurrently in The Hague.

8. The two meetings proposed 10 elements of common concern for global and regional environmental conventions:

(a) The streamlining of national reporting to the conferences of parties of environmental conventions;

(b) Trade and environment;

(c) Harmonization of nomenclature and legal environmental principles, (4) cost-benefit analysis of environmental conventions;

(d) Environmental impacts of trade liberalization;

(e) Interlinkages of scientific and technical assessments;

(f) Information exchange;

(g) Development and application of performance indicators for measuring progress in implementation;

(h) Tourism; and

(i) Joint thematic programming on interrelated activities within sectoral groupings of conventions (for example, those related to biodiversity, to oceans, to atmosphere, etc.).

9. While these are ten elements of great common concern among the 15 global and regional environmental conventions consulted, only one of these issues - trade and environment - is explicitly addressed in the programmes of work of some of the conventions (for example, CITES, the Basel Convention and the Montreal Protocol). Yet these are issues that the heads of the secretariats of these conventions feel need to be addressed in the short to medium term. It is here where UNEP can play a particularly important role in building thematic bridges among the conventions, resulting in greater complementarity and additionality by addressing areas of common concern that would otherwise be ignored or treated in a fragmented or disjointed manner. These 10 issues of common concern for the environmental conventions would be the focus for UNEP in this field.

10. As a follow-up to these two meetings, a meeting was held in Geneva on 23 July 1998 with the Secretariat World Trade Organization (WTO) to discuss the elements for a broader dialogue between environmental conventions and WTO on issues of trade and environment which will require greater attention. Based on consultations with UNEP-administered environmental conventions, UNEP's Economics, Trade and Environment Unit presented an over-arching paper on issues of concern for the consideration of the meeting. Priority should be given to follow-up on this issue with WTO.

11. In line with the recommendations of the High Level Committee of Ministers and Officials at its third meeting, held in Buenos Aires ion 10 November 1998, UNEP will also give priority to the revitalization and catalysing of the regional seas conventions and action plans. Moreover, the regional seas conventions and action plans have proven to be valuable instruments for strengthening of the application of global conventions such

as the Convention on Biological Diversity, CITES, the Basel Convention and the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities in their respective regions.

III. FURTHER MEASURES FOR STRENGTHENING THE ROLE OF UNEP IN PROMOTING COLLABORATION AMONG ENVIRONMENTAL CONVENTIONS

12. The overall objectives of UNEP's further action for strengthening its role in promoting collaboration among environmental conventions are:

(a) To promote, in cooperation with their respective governing bodies;

(i) The development of coherent interlinkages among international conventions and processes; and

(ii) The mitigation of fragmentation of international environmental policy-making;

(b) To enhance, in cooperation with their respective governing bodies, the linkages among the various scientific and information monitoring processes that underpin environmental conventions and relevant international agreements in order to provide a bridge between science and information and policy;

(c) To facilitate and channel coordinated substantive support from UNEP to environmental conventions and related international processes in accordance with their provisions and the decisions of their conferences of Parties.

13. To achieve the above objectives, UNEP will carry out, inter alia, the following actions:

(a) Organization of consultations between the Bureau of the Governing Council of UNEP and the bureaus of the conference of the parties to the environmental conventions for the purpose of identifying cross-cutting issues among their work programmes and proposing common policy and programmatic approaches;

(b) Organization of joint meetings between the Executive Director or senior officials of UNEP and the heads of secretariats of global and regional conventions for the purpose of strengthening areas of cooperation, complementarity and additionality among their programmes of work, avoiding unnecessary overlapping and duplication, and taking into account the results of the consultation meetings described above;

(c) Organization of joint meetings of the heads of the subsidiary scientific and technical bodies of conventions for the purpose of identifying areas of collaboration and synergy among scientific and technical assessments and monitoring undertaken under the conventions and relevant international processes;

(d) Facilitation of efficient administrative practices by providing the United Nations Office at Nairobi with advice and recommendations as required, and identification of internal bottlenecks, gaps and duplication that impact negatively on UNEP support to the efficient and effective implementation of conventions;

(e) Bridging of UNEP programmatic support to the work programmes of the various global and regional environmental conventions, taking into account the recommendations of the relevant meetings and the decisions of the respective governing bodies;

(f) Provision of programming support, through the UNEP Global Environment Facility Unit, in the implementation of the relevant work programmes of conventions;

(g) Provision of assistance and consultations, information exchange and joint thematic programming, through the Ecosystem Conservation Group and other international and United Nations system-wide inter-agency mechanisms, to support the implementation of the work programmes of global and regional environmental conventions;

(h) Catalysing of collaboration among and support to the work programmes of global and regional environmental conventions;

(i) Preparation of progress reports for consideration of the conferences of parties to conventions on the status of collaboration and coordination among the work programmes of relevant conventions, including the support provided by international bodies;

(j) Provision of inputs to and participation in relevant intergovernmental forums, such as the Commission on Sustainable Development, and acting as the Agenda 21 Task Manager for convention-related themes, e.g., biodiversity, atmosphere, lands, etc.,

(k) Organization of public-relations activities for convention meetings, including the preparation of background papers for use by the public; and

(l) Dissemination of information on the implementation of global and regional conventions, including information of the support provided by UNEP and the United Nations system.